



# State of Nebraska

## NEBRASKA EQUAL OPPORTUNITY COMMISSION

### NEBRASKA EQUAL OPPORTUNITY COMMISSION MEETING OF OCTOBER 18, 2013

Commissioner Jeffries called the meeting to order in Lincoln, Nebraska at 9:01 a.m. on October 18, 2013. It was established after a roll call that there was a quorum.

#### I. ROLL CALL

##### *Commissioners Present*

Royce Jeffries, Chairperson  
Janet Palmtag  
Rita Griess

Kristin Yates, Vice Chairperson  
Arnold Nesbitt  
Eric Drumheller

##### *Staff Present*

Barbara Albers, Executive Director  
Paula Gardner, Unit Director  
Shelley Foss, Investigator III

Gretchen Eure, Unit Director  
Cat Souliere, Staff Assistant

#### II. AFFIDAVIT OF PUBLICATION

The Affidavit of Service from the Lincoln Journal Star was read to show that the public was made aware of the October 18, 2013 Commission meeting.

#### III. APPROVAL OF MINUTES

Commissioner Griess moved to approve the September 20, 2013 Commission meeting minutes.

Commissioner Nesbitt seconded the motion.

ROLL CALL:      Ayes:      Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                     Naves:  
                     Abstained:  
                     Motion Carried

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IV. ADDITIONS OR CORRECTIONS

Under Section IX. ADMINISTRATIVE ACTIONS, please add B. WITHDRAWALS,  
NEB 2-13/14-9-2849-H and NEB 2-13/14-8-2845-H.

V. PUBLIC INPUT (Non Case)

Limit of 5 minutes per person for a total of a 30 minute session.

None at this meeting.

VI. INTRODUCTION TO PUBLIC INPUT (Agenda Cases)

The cases wherein a party to the case was present were moved to the front of the agenda under  
Section VII. CASE DISPOSITIONS.

VII. CASE DISPOSITIONS

NEB 1-12/13-3-43919 (Respondent was present.)  
Commissioner Drumheller moved for no reasonable cause.  
Commissioner Yates seconded the motion.

ROLL CALL:       Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                      Nays:  
                      Abstained:  
                      Motion Carried

NEB 2-12/13-5-43852 (Complainant was present.)  
Commissioner Nesbitt moved for no reasonable cause.  
Commissioner Palmtags seconded the motion.

ROLL CALL:       Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                      Nays:  
                      Abstained:  
                      Motion Carried

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NEB 2-12/13-3-43780 (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-3-43956 (Complainant was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 1-11/12-6-43238 (Respondent was present.)

Commissioner Palmtag moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-3-43958 (Respondent was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Griess seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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NEB 1-12/13-5-2810-H (Complainant was present.)

Commissioner Palmtag moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-2-43748 (Respondent was present.)

Commissioner Griess moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-3-2796-H (Respondent was present.)

Commissioner Griess moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Palmtag  
                          Nayes:  
                          Abstained:   Nesbitt  
                          Motion Carried

NEB 2-12/13-3-43800 (Respondent was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Drumheller seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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NEB 2-12/13-4-2800-PA (Respondent was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 2-12/13-11-2764-PA (Respondent was present.)

Commissioner Drumheller moved for no reasonable cause.

Commissioner Palmtag seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 2-12/13-3-2794-H (Respondent was present.)

Commissioner Nesbitt moved for no reasonable cause.

Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

NEB 1-12/13-4-43984 (Complainant was present.)

Commissioner Jeffries moved for no reasonable cause.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Naves:  
                          Abstained:  
                          Motion Carried

The Commission took a short break.

As there was someone who wished to speak on a case, the Commission moved to:

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XII. PUBLIC HEARING

NEB 2-11/12-8-42364 Chapman vs. MWE Services, d/b/a Midwest Demolition Company  
(Complainant was present.)

Commissioner Drumheller moved to accept the Hearing Examiner's Recommended Order.  
Commissioner Griess seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

The Commission returned to:

VII. CASE DISPOSITIONS

NEB 1-12/13-9-43551  
Commissioner Nesbitt moved for reasonable cause.  
Commissioner Jeffries seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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NEB 1-12/13-1-43726  
NEB 2-11/12-2-42858  
NEB 1-12/13-3-43944  
NEB 1-12/13-3-43945  
NEB 1-12/13-4-43983  
NEB 1-12/13-3-43951  
NEB 1-12/13-3-2797-PA  
NEB 2-12/13-1-43442  
NEB 2-12/13-7-42975  
NEB 2-12/13-3-43788  
NEB 2-12/13-2-43491  
NEB 1-13/14-7-2828-H  
NEB 2-12/13-3-43796  
NEB 1-12/13-4-43965  
NEB 1-12/13-5-44011  
NEB 2-12/13-3-43794  
NEB 2-13/14-8-2841-H  
NEB 2-12/13-5-2816-H

Commissioner Jeffries moved for no reasonable cause on the above cases.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

## VIII.    SUCCESSFUL AGREEMENTS

NEB 1-12/13-4-2808-PA

Commissioner Jeffries moved to adopt the agreements.

Commissioner Drumheller seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

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IX. ADMINISTRATIVE ACTIONS

A. EEOC

NEB 2-11/12-1-42832

NEB 3-12/13-4-43994

Commissioner Jeffries moved to adopt the findings of the EEOC.

Commissioner Yates seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

B. WITHDRAWALS

NEB 2-13/14-9-2849-H

NEB 2-13/14-8-2845-H

Commissioner Jeffries moved to administratively close the above cases based on withdrawal by the Complainant.

Commissioner Nesbitt seconded the motion.

ROLL CALL:           Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                          Nayes:  
                          Abstained:  
                          Motion Carried

X. CONCILIATION

None at this time.

XI. CONCILIATION CASES TO BE CONSIDERED FOR PUBLIC HEARING

None at this time.

XIII. CIVIL ACTION

None at this time.



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## XIV. BUSINESS

### 1. New Assistant Attorney General

Director Albers informed the Commission that Ms. Siobhan Duffy will now be the assistant Attorney General assisting the agency.

### 1. Investigator Position

Director Albers said that she has hired Trista Kelly Carter as a new investigator.

### 2. Federal Contracts

Director Albers updated the Commission on the status of our federal contracts.

### 3. Previous Month's Budget Reports

Commissioner Jeffries moved to approve and accept the previous month's budget reports. Commissioner Nesbitt seconded the motion.

ROLL CALL:       Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                      Nayes:  
                      Abstained:  
                      Motion Carried

## XV. ADJOURNMENT

Commissioner Jeffries moved to adjourn the October 18, 2013 Commission meeting at 12:09 p.m. Commissioner Nesbitt seconded the motion.

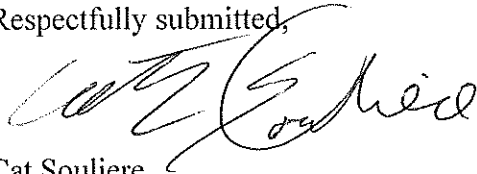
ROLL CALL:       Ayes:     Griess, Drumheller, Jeffries, Yates, Nesbitt, Palmtag  
                      Nayes:  
                      Abstained:  
                      Motion Carried

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Respectfully submitted,



Cat Souliere  
Staff Assistant

October 18, 2013

Date

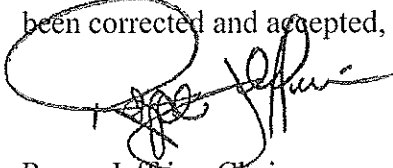


Barbara Albers  
Executive Director

10/21/2013

Date

The Minutes of the Nebraska Equal Opportunity Commission meeting of October 18, 2013 have been corrected and accepted, and henceforth approved on this date.



Royce Jeffries, Chairperson

NOV 15 2013

Date